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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henry L. Griesbach III, et al
Serial No.: 10/020,288
Filed: December 12, 2001
For: Nonwoven Filled Film Laminate with
Barrier Properties

Confirmation No. 8060
Group No.: 3743
Examiner: Nihir B. Patel
Docket No.: 16280A

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Response to Restriction Requirement Without Traverse

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement mailed June 15, 2004, Applicant respectfully elects claims directed to the Species depicted in FIG. 2 to be prosecuted by way of the present application.

This election is made without traverse. Applicant specifically reserves the right to seek patent protection for non-elected subject matter by divisional application. All claims are readable on this Species and as such no amendment to the claims is necessitated by this Election. All claims in the case remain in their originally submitted form but have been appended hereto beginning on Page 2. The undersigned may be reached at: 770-587-8621.

Respectfully submitted,

Henry L. Griesbach III, et al



Scott B. Garrison, Registration No.: 39198

CERTIFICATE OF MAILING

I, Laura L. Rubino, hereby certify that on Wednesday, August 11, 2004, this document is being facsimile transmitted to the United States Patent and Trademark Office Fax No. 703-872-9306.


Laura L. Rubino

1. (Original) A laminate comprising:
 - a nonwoven web treated with a surfactant;
 - a film comprising a core layer and at least one skin layer, the core layer comprising a percentage by weight of a micropore developing filler;
wherein the film is stretched in at least one direction to a percentage of its original size to become microporous, and thermally bonded to the surfactant treated nonwoven;
wherein the laminate is a breathable barrier compliant with ASTM F1670-95.
2. (Original) The laminate of claim 1 wherein the core layer comprises about 30% to about 75% by weight polyolefin resin and from about 70% to about 25% by weight of filler having an average size less than about 10 microns, the skin layer comprising a CATALLOY polymer.
3. (Original) The laminate of claim 1 wherein the core layer comprises about 35% to about 75% by weight polyolefin resin and from about 65% to about 25% by weight of filler.
4. (Original) The laminate of claim 1 wherein the surfactant treated nonwoven web comprises a spunbond polyolefin.
5. (Original) The laminate of claim 1 wherein the surfactant treated nonwoven web comprises a spunbond of any of polypropylene, polyethylene, a copolymer of polypropylene, and a copolymer of polyethylene.
6. (Original) The laminate of claim 1 wherein the surfactant treated nonwoven web comprises at least one layer of a meltblown polyolefin and at least one layer of a spunbond polyolefin.
7. (Original) The laminate of claim 1 wherein the filler of the stretchable film laminate comprises CaCO_3 .
8. (Original) The laminate of claim 1 wherein the laminate, tested per NFPA 702-1980, meets the 20 second or greater flame propagation criteria for a Class 1 material.
9. (Original) The laminate of claim 1 comprising a surgical drape.
10. (Original) The laminate of claim 1 wherein the laminate has a moisture vapor transmission rate of at least about 300 g/m²/24 hours.
11. (Original) The laminate of claim 1 wherein the core layer is sandwiched between a first and a second skin layer.
12. (Original) The laminate of claim 1 wherein the skin layer comprises a percentage of ethylene vinyl acetate.

13. (Original) The laminate of claim 1 wherein the core layer comprises a metallocene linear low density polyethylene.
14. (Original) The laminate of claim 1 wherein the core layer comprises a linear low density polyethylene.
15. (Original) The laminate of claim 1 wherein the skin layer comprises a CATALLOY polymer.
16. (Original) A breathable laminate compliant with ASTM F1670-95 comprising a nonwoven web treated with a surfactant thermally bonded at a plurality of bond points to a multilayer polyolefin resin film, at least one layer of the multilayer film further comprising a percentage by weight of a micropore developing filler.
17. (Original) The breathable laminate of claim 16 wherein at least one layer of the multilayer film comprises about 30% to about 75% by weight polyolefin resin and from about 70% to about 25% by weight of filler having an average size less than about 10 microns, and wherein at least one other layer comprises a CATALLOY polymer.
18. (Original) The breathable laminate of claim 16 wherein at least one layer of the multilayer film comprises about 35% to about 75% by weight polyolefin resin and from about 65% to about 25% by weight of filler.
19. (Original) The breathable laminate of claim 16 wherein the surfactant treated nonwoven web comprises a spunbond polyolefin.
20. (Original) The breathable laminate of claim 16 wherein the surfactant treated nonwoven web comprises a spunbond of any of polypropylene, polyethylene, a copolymer of polypropylene, and a copolymer of polyethylene.
21. (Original) The breathable laminate of claim 16 wherein the surfactant treated nonwoven web comprises at least one layer of a meltblown polyolefin and at least one layer of a spunbond polyolefin.
22. (Original) The breathable laminate of claim 16 wherein the filler of the stretchable film laminate comprises CaCO_3 .
23. (Original) The breathable laminate of claim 16 comprising a surgical drape.
24. (Original) The breathable laminate of claim 16 wherein the laminate has a moisture vapor transmission rate of at least about 300 g/ $\text{m}^2/24$ hours.
25. (Original) The breathable laminate of claim 16 wherein at least one layer of the multilayer film

comprises a percentage of ethylene vinyl acetate.

26. (Original) The breathable laminate of claim 16 wherein at least one layer of the multilayer film comprises a metallocene linear low density polyethylene.

27. (Original) The breathable laminate of claim 16 wherein at least one layer of the multilayer film comprises a linear low density polyethylene.

28. (Original) The breathable laminate of claim 16 wherein at least some of the bond points form cohesive attachments between the web and the multilayer film.